

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MICHELLE ROGALSKI,

Plaintiff,

v.

KILOLO KIJAKAZI,

Acting Commissioner of Social Security,

Defendant.

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Case No. 2:21-CV-00076 SEP

**MEMORANDUM AND ORDER**

This case is before the Court on Defendant Acting Commissioner Kilolo Kijakazi's Motion to Reverse and Remand the case to the Acting Commissioner for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). Doc. [18]. Plaintiff does not oppose the motion.

On December 13, 2021, Plaintiff filed a Complaint seeking review of the ALJ's decision that she was not under a disability within the meaning of the Social Security Act. Doc. [1]. Defendant answered and filed the transcript of the administrative proceedings on March 2, 2022. Doc. [8]. Plaintiff filed a brief in support of the Complaint on August 1, 2022. Doc. [17].

On August 29, 2022, Defendant filed the instant Motion to Reverse and Remand the case for further action under sentence four of section 205(g) of the Social Security Act, which permits the Court "to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner, with or without remanding the cause for a rehearing." 42 U.S.C. § 405(g). Defendant represents in the motion that, upon review of the record, agency counsel determined that remand was necessary in order to further develop the record, evaluate the new evidence, and issue a new decision.

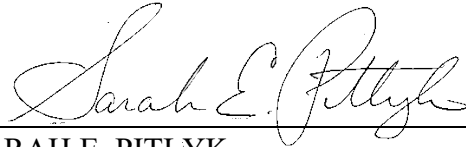
Upon review of Plaintiff's brief, the ALJ's decision, and the Acting Commissioner's motion, the Court agrees that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g).

Accordingly,

**IT IS HEREBY ORDERED** that the Motion to Reverse and Remand (Doc. [18]) is **GRANTED**.

**IT IS HEREBY ORDERED, ADJUDGED, AND DECREED** that the decision of the Commissioner of Social Security is **REVERSED** and this case is **REMANDED** under sentence four of 42 U.S.C. § 405(g) for reconsideration and further proceedings consistent with this opinion.

Dated this 2<sup>nd</sup> day of September, 2022.

A handwritten signature in black ink, reading "Sarah E. Pitlyk", written in a cursive style. The signature is positioned above a horizontal line.

SARAH E. PITLYK  
UNITED STATES DISTRICT JUDGE